SCHEDULE Regulation 2

Hearing Session Rules

Notice of hearing session and specified matters

1.—(1) Where the review panel have determined that a hearing session should be held they are to give written notice to that effect to—

(a) the community transfer body;

(b) the relevant authority; and

(c) any person who the review panel wish to make further representations or to provide further information on specified matters at the hearing session.

(2) The notice given under paragraph (1) is to specify the matters to be considered at the hearing session.

(3) Only specified matters are to be considered at the hearing session.

(4) A person given notice under paragraph (1) and who intends to appear at the hearing session must within the period of 10 working days beginning with the date of such notice inform the review panel in writing of that intention.

Appearances at hearing session

2. The persons entitled to appear at a hearing session are—

(a) the community transfer body;

(b) the relevant authority; and

(c) any other person who, in response to a notice given under rule 1(1), has informed the review panel of their intention to appear at the hearing session in accordance with rule 1(4).

Date and notification of hearing session

3.—(1) The date, time and place at which the hearing session is to be held is to be determined (and may subsequently be varied) by the review panel.

(2) The review panel are to give to those persons entitled to appear at the hearing session such notice of the date, time and place fixed for the holding of a hearing session (and any subsequent variation thereof) as may appear to the review panel to be reasonable in the circumstances.

Service of hearing statements and documents

4.—(1) Where required to do so by notice given by the review panel, a person entitled to appear at the hearing session must, by such date as is specified in the notice, send to the review panel, the community transfer body, the relevant authority and to such other persons entitled to appear at the hearing session as the review panel may specify in such notice—

(a) a hearing statement; and

(b) where that person intends to refer to or rely on any documents when presenting their case a copy of every document (or the relevant part of a document) on the list comprised in that hearing statement.

(2) Any person who has served a hearing statement in accordance with this rule must—

(a) when required by notice in writing from the review panel person provide such further information about the matters contained in the hearing statement as the review panel may specify; and

(b) at the same time send a copy of such further information to any other person on whom the hearing statement has been served.

(3) Different dates and different persons may be specified for the purposes of paragraph (1).

(4) Paragraph (1)(b) does not require a document (or part of a document) to be sent to another person entitled to appear at the hearing session if the person to whom the hearing statement is sent already holds that document (or that part of the document).

(5) In this rule, "hearing statement" means, and is comprised of—

(a) a written statement which fully sets out the case relating to the specified matters which a person proposes to put forward to a hearing session;

(b) a list of documents (if any) which the person putting forward such case intends to refer to or rely on; and

(c) a list of any other persons who are to speak at the hearing session in respect of such case, any matters which such persons are particularly to address and any relevant qualifications of such persons to do so.

Procedure at hearing

5.—(1) Except as otherwise provided in these Hearing Session Rules, the procedure at a hearing session shall be as the review panel determine.

(2) The review panel are, having considered any submission by the persons entitled to appear at the hearing session, to state at the commencement of the hearing session the procedure the review panel propose to adopt.

(3) Any person entitled to appear may do so on that person's own behalf or be represented by another person.

(4) Where there are two or more persons having a similar interest in the issues being considered at the hearing session, the review panel may allow one or more persons to appear on behalf of some or all of any persons so interested.

(5) A hearing shall take the form of a discussion led by the review panel and cross examination is not permitted unless the review panel consider that cross examination is required to ensure a thorough examination of the issues.

(6) Subject to paragraph (7), a person entitled to appear at a hearing session is entitled to call evidence.

(7) The review panel may refuse to permit—

(a) the giving or production of evidence;

(b) the cross examination of persons giving evidence; or

(c) the presentation of any other matter,

which the review panel consider to be irrelevant or repetitious.

(8) The review panel may proceed with a hearing session in the absence of any person entitled to appear at the hearing session.

(9) The review panel may from time to time adjourn the hearing session and, if the date, time and place of the adjourned hearing session are announced before the adjournment, no further notice is required otherwise rule 3 applies as it applies to the variation of the date, time or place at which a hearing session is to be held.